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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Roger Randolph,

Petitioner,

v.

Jo Gentry, *et al.*,

Respondents.

Case No. 2:18-cv-00449-RFB-VCF

**Unopposed motion for extension of
time to file second amended
petition**

(Fourth Request)

1 On June 19, 2018, Roger Randolph filed, through counsel, an amended petition
2 for writ of habeas corpus.¹ This Court granted Randolph leave to file a second
3 amended petition.² Randolph, by counsel, moves this Court for an extension of time
4 to file a second amended petition by one week from April 17, 2019 to and including
5 April 24, 2019. Counsel emailed Senior Deputy Attorney General Heather D. Procter
6 to ask whether she objects to this request for an extension. Ms. Procter responded
7 that she does not object, though this non-objection is not a waiver of any procedural
8 defenses she wishes to raise.

9 Counsel received Randolph's I-file earlier today (April 17th). The I-file is
10 approximately 150 pages. One week should be sufficient time to review it. After that,
11 counsel will be able to complete drafting of the petition.

12 In addition, Counsel's schedule and circumstances beyond her control have
13 precluded her from meeting the current deadline of April 17, 2019. Counsel filed an
14 over-sized reply to answer in the U.S. District Court today. Counsel is preparing for
15 an evidentiary hearing on May 7th in the Eighth Judicial District Court. Counsel is
16 currently drafting time-sensitive (because of a new Supreme Court case) petitions in
17 state court.

18 For these reasons, counsel respectfully asks this Court to grant Randolph's
19 request to extend the time for filing an amended petition by one week until April 24,
20 2019.

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26 ¹ ECF No. 14.
27 ² ECF No. 13.

Dated April 17, 2019.

Respectfully submitted,

Rene L. Valladares
Federal Public Defender

/s/Kimberly Sandberg

Kimberly Sandberg
Assistant Federal Public Defender

IT IS SO ORDERED:

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RICHARD F. BOULWARE, II
United States District Judge

Dated: April 18, 2019

CERTIFICATE OF SERVICE

I hereby certify that on April 17, 2019, I electronically filed the foregoing with the Clerk of the Court for the United States District Court, District of Nevada by using the CM/ECF system.

Participants in the case who are registered CM/ECF users will be served by the CM/ECF system and include: Heather D. Procter

I further certify that some of the participants in the case are not registered CM/ECF users. I have mailed the foregoing document by First-Class Mail, postage pre-paid, or have dispatched it to a third party commercial carrier for delivery within three calendar days, to the following non-CM/ECF participants:

Roger Randolph
No. 1086077
Lovelock Correctional Center
1200 Prison Rd
Lovelock, NV 89419

/s/ Jessica Pillsbury
An Employee of the
Federal Public Defender